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TO RUEHC/SECSTATE WASHDC PRIORITY 5289

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REFERENCE: USUN 5155 TO DEPT, 181 TO SAIGON

SUBJECT: UN OBSERVERS FOR SVN ELECTIONS

1. CONTRARY TO STATEMENT BY GVN MISSION OFFICERS, ELECTION LAW DRAFTING COMMITTEE HAS NOT RECOMMENDED GVN DENY VOTE TO ANYONE. THEY IN ERROR IN THINKING COMMITTEE HAS RECOMMENDED THAT PERSONS WHO HAVE CLOSE RELATIVES WITH VC WILL BE DENIED VOTE.

2. AS REPORTED IN EMBTEL 5139 TO DEPT (NOT REPEATED USUN), ELECTION LAW DRAFTING COMMITTEE VOTED 23 TO ONE IN FAVOR OF RECOMMENDATION TO BAR COMMUNIST AND NEUTRALIST CANDIDATES FROM

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UPCOMING ELECTIONS. FORMULA READS AS FOLLOWS: "THOSE WHO ARE DIRECTLY OR INDIRECTLY INVOLVED IN ANY ACTIVITY FAVORING COMMUNISM AND NEUTRALISM, ESPECIALLY MEMBERS AND FORMER MEMBERS OF THE COMMUNIST PARTY AND MEMBERS OF OTHER POLITICAL ORGANIZATIONS CONSIDERED PRO-COMMUNIST, CANNOT STAND AS CANDIDATES." MUCH HARDER RULE WAS CONSIDERED, AND VOTED DOWN, WHICH WOULD HAVE BARRED CANDIDATES WHO HAVE CLOSE RELATIVES WITH VIET CONG OR LIVING IN "VIET CONG REGIONS." ALSO REJECTED WAS PROPOSAL TO BAR PERSONS WHO SERVED IN DIEM LEGISLATURES.

3. WHILE FORMULA ACTUALLY ADOPTED APPEARS FAIRLY SWEEPING, APPLICATION MAY WELL BE MORE DISCRIMINATING.

TOLD EMBOFF THAT REAL DECISION ON ELIGIBILITY OF CANDIDATES WILL OF COURSE BE UP TO LOCAL ELECTION CONTROL BOARDS. THESE BOARDS ARE PROVIDED FOR IN DRAFT ELECTION LAW, AND ONE OF THEIR DUTIES WILL BE TO SCREEN CANDIDATES FOR COMMUNIST OR NEUTRALIST TAIN. THAT IF LOCAL BOARD WISHED, IT COULD CERTIFY CANDIDATE WHO, ALTHOUGH

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REVIEWED BY: [Signature] DATE 10/6/81
PORTIONS DENIED AS INDICATED

The figure consists of ten vertically stacked subplots labeled \$t=0\$ through \$t=9\$. Each subplot shows a discrete probability distribution \$P(x)\$ as a function of position \$x\$, which ranges from -10 to 10. At \$t=0\$, the distribution is a single peak at \$x=0\$ with a height of approximately 0.07. As time progresses, the distribution becomes broader and more irregular, with peaks appearing at various positions such as \$x=-5, -2, 2, 5, 8\$ by \$t=9\$.

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-2- 5289, JUNE 5, FROM SAIGON

FORMERLY CONNECTED WITH COMMUNISTS, HAD PROVED HIS NATIONALIST CREDENTIALS BY SUBSEQUENT ACTIONS. SHOULD ALSO BE NOTED THAT FORMULA VOTED BY COMMITTEE IS RECOMMENDATION TO CENTRAL GOVERNMENT AND STILL SUBJECT TO MODIFICATION BY BOTH COMMITTEE ITSELF (WHICH HAS NOT COMPLETED ITS WORK) AND BY GVN.

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4. ALSO WORTH NOTING THAT VOTE WAS 23 TO ONE IN FAVOR OF FORMULA ADOPTED. COMMITTEE IS FAIRLY GOOD CROSS SECTION OF VIETNAMESE POLITICAL OPINION (THERE ARE REPRESENTATIVES OF ALL MAJOR FAITHS, TEN ELECTED PROVINCIAL COUNCILORS, 8 LAWYERS, 4 PROFESSORS, SEVERAL BUSINESSMEN, AND REPRESENTATIVES OF MAJOR POLITICAL PARTIES ON COMMITTEE). THERE IS NO DOUBT THAT COMMITTEE IS STRONGLY OPPOSED TO ALLOWING COMMUNISTS OR NEUTRALISTS ANY ROLE IN CONSTITUTIONAL CONVENTION. COMMITTEE MEMBERS SEE NEUTRALISM AS DISGUISED OR SLIGHTLY DELAYED COMMUNISM - HENCE THEIR STRONG OPPOSITION TO NEUTRALISM. THIS IS BELIEVED TO BE A REASONABLE REFLECTION OF PREVAILING POLITICAL ATTITUDES IN SVN.

5. WE WOULD UNDERLINE SHARPLY THAT ELECTION LAW DRAFTING COMMITTEE IS HARDLY TOOL OF GVN. ON SEVERAL IMPORTANT ISSUES IT HAS TAKEN DECISIONS ABSOLUTELY OPPOSED TO WISHES OF GVN. NOTABLE AMONG THESE WAS DECISION AGAINST RESERVING SEATS FOR MILITARY IN CONSTITUTIONAL CONVENTION AND RECOMMENDATION THAT CONSTITUTIONAL CONVENTION EXERCISE LEGISLATIVE POWERS. MOREOVER NUMBER MEMBERS OF COMMITTEE HAVE FREQUENTLY CRITICIZED GOVERNMENT IN STRONG TERMS ON FLOOR OF COMMITTEE CHAMBER. LODGE
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NOTE: PASSED S/S-O, WHITE HOUSE, DOD, CIA, USIA,
NSA AT 10:40 AM, 6/5/66.

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